

Notice of Allowability

Application No.

09/576,063

Examiner

Inder P. Mehra

Applicant(s)

TERASAWA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to submission dated: 2/16/2007.
2. ☒ The allowed claim(s) is/are 25-43 (Renumbered as 1-19 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/24/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other _____

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DETAILED ACTION

1. This office action is in response to amendment dated: 2/16/07. Based on this amendment, claims 25-43 are pending.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission (IDS) filed on 2/16/2007 has been entered.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 2/16/2007 was filed after allowance.. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Allowable Subject Matter

4. Claims 25-43 are allowed.

REASONS FOR ALLOWANCE

5. The following is an examiner's statement of reasons for allowance:
The prior art of record does not disclose, teach or suggest directly, or indirectly the following limitations in combinations with other limitations of the claims, as follows:

As recited by claims 25;

- transmitting data frames from a first base station to a mobile station in accordance with a first downlink data frame time offset, **wherein said first downlink data frame time offset is measured from a channel frame timing associated with the first base station;**
- measuring a reception downlink time offset experienced at said mobile station between a first downlink transmission received from said first base station and a second downlink transmission from a second base station;
- communicating said measured reception downlink time offset from said mobile station to at least one of said first and second base stations;
- determining a second downlink data frame time offset based on said measured reception downlink time offset, wherein said second downlink data frame time offset is measured from a channel frame timing associated with the second base station, wherein said first and second downlink data frame time offsets are in increments of a predetermined number of chips;
- communicating said second downlink data frame time offset to said mobile station for said soft handoff operation;
- transmitting data frames from said second base station to said mobile station in accordance with said second downlink data frame time offset, wherein data frames transmitted from said first and second base station carry the same data for said soft handoff operation..

As recited by claims 30 and 35;

- measuring a reception downlink time offset experienced at a mobile station between a first downlink transmission received from a first base station and a second downlink transmission from a second base station;
- communicating said measured reception downlink time offset from said mobile station to at least one of said first and second base stations;
- receiving data frames from said first base station at said mobile station in accordance with a first downlink data frame time offset, wherein said first downlink data frame time offset is measured from a channel frame timing associated with the first base station;
- receiving a second downlink data frame time offset at said mobile station for said soft handoff operation, wherein said second downlink data frame time offset is determined based on said measured reception downlink time offset, and wherein said second downlink data frame time offset is measured from a channel frame timing associated with the second base station, and wherein said first and second downlink data frame time offsets are in increments of a predetermined number of chips;
- **As recited by claim 35 only**, receiving data frames from said second base station at said mobile station in accordance with said second downlink data frame time offset, wherein data frames transmitted from said first and second base stations carry the same data for said soft handoff operation.

As recited by claims 38 and 41,

- transmitting data frames from a first base station to a mobile station in accordance with *a* first downlink data frame time offset, wherein said first downlink data frame time offset is measured from a channel frame timing associated with the first base station;
- receiving a measured reception downlink time offset from said mobile station at one of said first and second base stations, wherein said measured reception downlink time offset is the reception time offset experienced at said mobile station between a first downlink transmission from said first base station and a second downlink transmission from a second base station;
- determining a second downlink time offset based on said measured reception downlink time offset, wherein said second downlink data frame time offset is measured from a channel frame timing associated with the second base station, wherein said first and second downlink data frame time offsets are in increments of a predetermined number of chips;
- communicating said second downlink data frame time offset to said mobile station for said soft handoff operation;
- transmitting data frames from said second base station to said mobile station in accordance with said second downlink data frame time offset, wherein data frames

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transmitted from said first and second base station carry the same data for said soft handoff operation..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder P Mehra 3/29/07
Inder P Mehra
Examiner
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Feild
JOSEPH FEILD
SUPERVISORY PATENT EXAMINER